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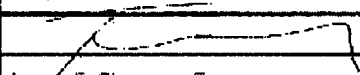
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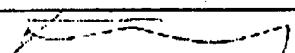
PTO/SR/21 (09/04)  
Approved for use through 07/31/2006. OMB 0551-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>	Application Number	10/659,387	
	Filing Date	April 6, 2005	
	First Named Inventor	Peter V. Radecki	
	Art Unit	2137	
	Examiner Name	Michael J. Pyzocha	
<small>(to be used for all correspondence after initial filing)</small>		Attorney Docket Number	45 (X)
Total Number of Pages in This Submission		13	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Return <input type="checkbox"/> CD, Number of CLYs) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Joseph E. Chovanes, Esq.		
Signature			
Printed name	Joseph E. Chovanes, Esq.		
Date	May 2, 2005	Reg. No.	33,401

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Joseph E. Chovanes
Date	5-2-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public, which is to do (and by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 C.F.R. 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEE'S OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB-17 (12-04v2)

Approved for use through 07/31/2005. OMB US31-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<p>Effective on 1/20/2004 Fees pursuant to the Consolidated Appropriations Act, 2004 (H.R. 4141)</p> <h2>FEE TRANSMITTAL</h2> <p>For FY 2005</p>		<p><b>Complete if Known</b></p>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number: 10/655,387	
TOTAL AMOUNT OF PAYMENT (\$) 0		Filing Date: April 6, 2004	
		First Named Inventor: Peter V. Radetti	
		Examiner Name: Michael J. Pyzocha	
		Art Unit: 2137	
		Attorney Docket No: 45-03	

**METHOD OF PAYMENT** (check all that apply)

☐ Check    ☐ Credit Card    ☐ Money Order    ☒ None    ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account    Deposit Account Number: \_\_\_\_\_    Deposit Account Name: \_\_\_\_\_

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	700	100	
Design	200	100	100	50	150	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	300	180

**Total Claims** 36    **Extra Claims** 20 or 40 = 0    **Fee (\$)** 0    **Fee Paid (\$)** 0

**Indep. Claims** 8    **Extra Claims** 3 or HP = 0    **Fee (\$)** 0    **Fee Paid (\$)** 0

HP = highest number of independent claims paid for if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
100	0	0	0	0

(Round up to a whole number) x

**4. OTHER FEE(S)**

Non-English Specification: \$120 fee (no small entity discount)

Other (e.g., late filing surcharge):

<b>SUBMITTED BY</b>		
Signature: _____	Registration No. (Attorney/Agent): 33,481	Telephone: 610-640-3994
Name (Print/Type): Joseph E. Chovanes	Date: 5-2-05	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to be granted by the USPTO in processing an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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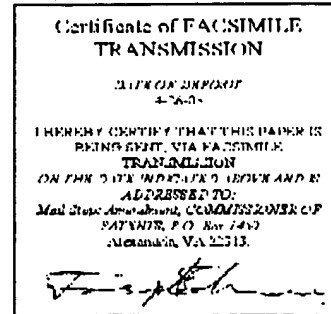
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/655,387

Filed: April 6, 2004

For: APPARATUS AND METHODS  
FOR INTERCEPTING, EXAMINING  
AND CONTROLLING CODE, DATA AND FILES  
AND THEIR TRANSFER IN INSTANT  
MESSAGING AND  
PEER-TO-PEER APPLICATIONS



Art Unit: 2137

Examiner: Michael J. Pyzocha

Atty Dkt.: 45-03

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Mail Stop: Amendment  
Commissioner for Patents  
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**AMENDMENT AND RESPONSE**

This amendment and response is being timely filed within the three month shortened statutory period for response set in the Office Action dated February 2, 2005.

Reconsideration and allowance of the application is respectfully solicited based on the remarks set forth herein.

Amendments to the Specification are on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 8 of this paper.